

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHARLES JACKSON,)	
)	
Plaintiff,)	Civil Action No. 07-111
v.)	
)	
THE CITY OF PITTSBURGH,)	Judge Nora Barry Fischer
a PA Municipal Corporation, <i>et al.</i> ,)	
)	
Defendants.)	

Plaintiff's Petition for Issuance of Writs for Habeas Corpus ad Testificandum

AND NOW COMES Plaintiff Charles Jackson, by and through his counsel, Bonnie L. Kift, to make and file the within Petition. Doing so, he asserts the following:

1. Plaintiff is Charles Jackson who has filed an action via 42 USCA Section 1983, alleging among other complaints, a violation of his 4th Amendment Constitutional Rights as against the City of Pittsburgh and four police officers, Goob, Kreger, Woodhall, and Joyce, all named defendants herein.
2. By Court Orders issued on or about April 9, 2010 by this Court, Plaintiff is expected to attend before this Court settlement conferences on May 26, 2010 and June 2, 2010 and to attend trial on June 21, 2010, trial of which may consume four or five or more days and is before a jury.
3. Plaintiff is currently incarcerated at SCI Camphill, 2500 Lisburn Road, Camphill, Pennsylvania 17011-8005, and will continue to be incarcerated on the above said dates.
4. Plaintiff has been in the past employed and is currently employed by SCI Camphill.

5. Plaintiff has the lowest security risk as assessed by SCI Camphill, he being permitted ingress and egress from said Institute without an escort for work purposes and achieving currently a rating of "2MC".
6. As such, Plaintiff presents a very minimal if any security risk.
7. Further, the Department of Corrections routinely transports inmates for the purposes of trial and /or settlement conferences and is well equipped to address all security needs.
8. The law provides that Plaintiff may be permitted within the sound discretion of the Court to attend his own trial and to speak on his own behalf. 28 U.S.C. Section 2241 (c) (5). See Pennsylvania Bureau of Corrections v. U.S. Marshalls Service, 474 U.S. 34, 106 S. Ct. 355, 88 L. Ed. 2d 189 (1985); Ballard v. Spradley, 557 2d 476 (5th Cir. 1977).
9. Plaintiff requests also that he be permitted to attend the settlement conferences on May 26, 2010 and June 2, 2010 in street clothes, out of uniform and, at trial before a jury, in professional wear of a suit and tie.
10. Plaintiff's undersigned counsel is advised by SCI Camphill Assistant Superintendant Volciak that if this Court orders that he be provided street clothes or a suit, Plaintiff will be so provided, and that same are typically provided by SCI Camphill to inmates for purposes of such attendances.
11. Plaintiff's undersigned counsel has placed calls yesterday to Attorney Randall Sears, Assistant Superintendant Robert Volciak, as directed to him by Attorney Sears, and has attempted calls to other employees at SCI Camphill, none of said

persons yet responding; however, service is made by regular mail this date to Attorney Randall Sears, of this Petition and its Proposed Order.

WHEREFORE, for the foregoing reasons, Plaintiff's respectfully requests that this his Petition for the Issuance of Habeas Corpus ad Testificandum be granted and that he be permitted to attend the foregoing events and to attend the settlement conferences in street clothes and his trial in suit and tie.

Respectfully submitted,

_____/s/Bonnie L. Kift_____
Attorney for Plaintiff
Pa. S. Ct. # 39334

Bonnie L. Kift
Law Office of Bonnie L. Kift
121 St. Clair Circle
Ligonier, PA 15658
Tele: 724 238 2410
ER: 412 601 0601
Fax: 724 238 9418

CERTIFICATE OF SERVICE

Service of the foregoing is automatically, at its ecf filing on this date of May 12, 2010, made by ecf upon counsel of record for the defendants in this matter, their contact information being below set forth.

Michael E. Kennedy
Assistant City Solicitor
Pa. I.D. #52780
City of Pittsburgh
Department of Law
Firm #046
313 City-County Building
414 Grant Street
Pittsburgh, PA 15219

A. Bryan Campbell, Esq.
2330 Grant Bldg.
310 Grant Street
Pittsburgh, PA 15219

Additionally a copy of same is mailed by regular mail to the following officials of SCI
Camp Hill also this date of May 12, 2010:

Randall Sears, Deputy Chief Counsel
55 Utley Drive
Camp Hill, Pennsylvania 17001

Respectfully submitted,

_____/s/Bonnie L. Kift_____
Attorney for Plaintiff
Pa. S. Ct. # 39334

Bonnie L. Kift
Law Office of Bonnie L. Kift
121 St. Clair Circle
Ligonier, PA 15658
Tele: 724 238 2410
ER: 412 601 0601
Fax: 724 238 9418